

Docket No.: 638772000126
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Neil P. DESAI et al.

Application No.: 09/446,783

Confirmation No.: 2878

Filed: June 26, 1998 (Int'l)

Art Unit: 1618

For: NOVEL FORMULATIONS OF
PHARMACOLOGICAL AGENTS, METHODS
FOR THE PREPARATION THEREOF AND
METHODS FOR THE USE THEREOF

Examiner: J. Vu

COMMUNICATION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully disagree with the Examiner's position in the Office Action dated December 3, 2008, for at least the reasons of record. Without acquiescing to the correctness of the Examiner's arguments, Applicants intend to abandon the above-referenced patent application. This abandonment is made without prejudice and is not intended as an abandonment of the subject matter disclosed and claimed in this patent application. Applicants reserve the right to pursue any subject matter and/or claim embodiments in one or more continuation and/or divisional application(s).

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket No. 638772000126. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 31, 2009

Respectfully submitted,

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